

**IN THE  
SUPREME COURT OF INDIANA**

**CASE NUMBER:**

**ORDER AMENDING RULES OF TRIAL PROCEDURE**

Under the authority vested in this Court to provide by rule for the procedure employed in all courts of this state and this Court's inherent authority to supervise the administration of all courts of this state, *Rule 53.3* of the *Indiana Rules of Trial Procedure* is amended to read as follow (deletions shown by ~~striking~~ and new text shown by underlining):

**Rule 53.3. Motion to correct error: time limitation for ruling.**

**(A) Time limitation for ruling on motion to correct error.** In the event a court fails for forty-five (45) days to set a Motion to Correct Error for hearing, or fails to rule on a Motion to Correct Error within thirty (30) days after it was heard or forty-five (45) days after it was filed, if no hearing is required, the pending Motion to Correct Error shall be deemed denied. Any appeal shall be initiated by filing the notice of appeal under Appellate Rule ~~2(A)~~ 9(A) within thirty (30) days after the Motion to Correct Error is deemed denied.

...

This amendment shall take effect immediately.

The Clerk of this Court is directed to forward a copy of this order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and

Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public

DONE at Indianapolis, Indiana, this \_\_\_\_\_ day of September, 2002.

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Randall T. Shepard  
Chief Justice of Indiana